THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.NO.15371 OF 2006
Dated:01-08-2007

Between:
Edula Venkata Sumalatha Petitioner

And
The State Election Commissioner,A.P.,Hyderabad and others

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.NO.15371 OF 2006

ORDER:

1. The ground of attack is that the 4th respondent is not at all a voter and hence the acceptance of nomination is bad since 4th respondent is not eligible to contest the election for the post of Sarpanch.

2. The grievance of the petitioner is that the respondent No.3 had not taken any action in this regard. This being predominantly a question of fact, the same cannot be gone into by a writ court. However, the petitioner is having a remedy by way of election petition.

3. In view of the same the writ petition is disposed of giving liberty to the petitioner to approach appropriate tribunal if the petitioner is so advised. No order as to costs.

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01-08-2006

Stp